<center>**REMARKS/ARGUMENTS**</center>

Amendments are made to the Specification to address the rejections under 35 U.S.C. §101 raised by the examiner. No new matter is added.

Claims 1-11 and 14-25 are pending. Claim 2, 11-13, and 18 are canceled. Claims 1, 3, 8-10, 17, and 19 are amended. Support for the new claims and claim amendments can be found in the claims themselves and in the Applicant's patent application, p. 19, ll. 5-12 and Fig. 14. No new matter is added.

I.   35 U.S.C. § 101

The examiner rejects claims 8, 10-16, and 17-23 under 35 U.S.C. § 101 as being directed to non-statutory subject matter under the assertion that the claims are not claimed in combination with an appropriate tangible computer usable medium. Applicants have amended the specification accordingly, thereby overcoming the rejection.

II.   35 U.S.C. § 103, Obviousness

The examiner has rejected claims 1-25 as obvious under 35 U.S.C. § 103(a) in view of *Howard et al.* (U.S. Pat. No. 6,185,574) (hereinafter "*Howard*") and *Peltonen et al.* (U.S. Pat. No. 5,926,807) (hereinafter "*Peltonen*"). This rejection is respectfully traversed. As to Claim 1, the Examiner states:

> As per claims 1, 8, 10, and 17, Howard et al. disclose a system, which including data processing system for locating files in a hierarchical directories as detailed in col.10, lines 10-1 2, co1.12, lines 27-34, col.12, line 66 through co1.14, line 6). In particular, Howard et al. disclose the claimed limitations wherein an input has been received indicating that a file is to be saved (See Howard et al. Fig.15 in conjunction with steps 754 and 758, co1.31, lines 18-23). Howard et al. specifically disclose that a user can retrieve a file where the file is saved as detailed in co1.4, lines 55-57, co1.12, lines 16-27). It is noted, however, Howard et al. did not specifically disclose the system for saving the file in association with a unique identifier in a data store, responsive to receiving an input, wherein the data store describes associations between files and unique identifiers and wherein files are retrieved based on unique identifiers. On the other hand, Peltonen et al. disclose a system for effectively representing query result in a memory where files have been saved or stored (See Peltonen et al. Title and abstract, co1.2, lines 55-67). In particular, Peltonen et al.

achieved the claimed limitations of, saving the file in association with a
unique identifier in a data store, responsive to receiving an input, wherein
the data store describes associations between files and unique identifiers
and wherein files are retrieved based on unique identifiers, by providing a
bookmark associated with files as a unique identifier to identify files (See
Peltonen et al. Abstract lines 14-19, co1.9, lines 25-67, col.11, lines 16-
39).

It would have been obvious to one of ordinary skill in the art at the time of
applicant's invention was made to modify the parallel virtual directory
system of Howard et al. by incorporating the bookmark mechanism taught
by Peltonen et al. because that would have enhanced the system of
Howard et al. by allowing it to retrieve files or documents store in data
store quickly and efficiently using the bookmark as a unique identifier and
return the result appropriately in response to a request (See Peltonen et al.
Abstract lines 14-1 9, co1.8, lines 1-6).

Final Office Action dated September 8, 2008 pages 8 and 9.

The Examiner bears the burden of establishing a *prima facie* case of obviousness based
on prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23
U.S.P.Q.2d 1780 (Fed. Cir. 1992). The prior art reference (or references when combined) must
teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA
1974). In determining obviousness, the scope and content of the prior art are... determined;
differences between the prior art and the claims at issue are... ascertained; and the level of
ordinary skill in the pertinent art resolved. Against this background the obviousness or non-
obviousness of the subject matter is determined. *Graham v. John Deere Co.*, 383 U.S. 1 (1966).
"Often, it will be necessary for a court to look to interrelated teachings of multiple patents; the
effects of demands known to the design community or present in the marketplace; and the
background knowledge possessed by a person having ordinary skill in the art, all in order to
determine whether there was an apparent reason to combine the known elements in the fashion
claimed by the patent at issue." *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (April 30, 2007).
"Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead,
there must be some articulated reasoning with some rational underpinning to support the legal
conclusion of obviousness. Id. (citing *In re Kahn*, 441 F.3d 977, 988 (CA Fed. 2006))."

Applicants have amended the claims, thereby overcoming the rejection. A *prima facie*
obviousness rejection has not been stated because the proposed combination of the references
does not teach all of the features of claim 1. Specifically, neither *Howard* nor *Peltonen* teach the

features of, "receiving a selection of a file from the requester" and "responsive to the selection of the file, returning the file to an appropriate application."

Regarding files being linked to applications, *Howard* teaches the application retrieving the file. See the following:

> FIG. 4 demonstrates one embodiment of how the virtual file directory system can be used to retrieve or save a file. In this embodiment, a command from application level or operating system level can be received and accepted for a file presented on the virtual file directory (408). In the Windows.TM. 95 system, this command would be received by the virtual directory system file system driver from the Installable File System Manager. Then, a retriever element which retrieves a file (24) can be used to cause retrieval of the file presented by the virtual file system directory.

Howard, col. 12, ll. 16-25.

Assuming, for argument only, that an application level is the same as the claimed application, *Howard* teaches receiving the command *from* the application level. In contrast, the claimed feature receives the selection of the file from the requester and then returns the file to the appropriate application.

Additionally, *Peltonen* teaches representing query results in a limited amount of memory. *Peltonen*, Abstract. *Peltonen* does not teach linking the query results to applications in any manner. In fact, *Peltonen* is completely devoid of teaching or suggesting the claimed features of, "receiving a selection of a file from the requester" and "responsive to the selection of the file, returning the file to an appropriate application."

Because neither *Howard* nor *Peltonen* teach or suggest these claimed features, the proposed combination of references, considered as a whole, does not teach or suggest these claimed features. Additionally, since claims 1, 8-10, and 17 contain features similar to those in Claim 1, the Examiner has not stated a *prima facie* obviousness rejection against those claims as well. Furthermore, because claims 3-7, 14-16, and 19-25 depend from claims 1, 10, and 17 respectively the same distinctions apply to these claims as well. Accordingly, the rejection of claims 1-11 and 14-25 has been overcome.

III.   Conclusion

As shown above, the Examiner has failed to state valid rejections against any of the claims. Therefore, Applicants request that the Board of Patent Appeals and Interferences reverse the rejections. Additionally, Applicants request that the Board direct the Examiner to allow the claims.

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Respectfully submitted,

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